

IN THE UNITED STATES DISTRICT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,
v.
NICHOLAS KYLE MARTINO,
Defendant.

HONORABLE JEROME B. SIMANDLE
Criminal No. 17-240 (JBS)

ORDER
AMENDING CONDITIONS
OF RELEASE

This matter having come before the Court at a hearing on December 19, 2017 on defendant's violation of probation; Federal Public Defender Christopher O'Malley appearing on behalf of defendant, and AUSA Sara Aliabadi appearing for the Government; and for good cause shown;

IT IS, this 20th day of **December, 2017**, hereby ORDERED that Subsection S of the additional conditions of release imposed in the Order Setting Conditions of Release of October 23, 2017 [Docket Item 8], is modified as follows:

COMPUTER MONITORING

You must submit to an initial inspection by the U.S. Probation Office and to any unannounced examinations during supervision, of your computer equipment. This includes, but is not limited to, personal computers, personal digital assistants, entertainment consoles, cellular telephones, and/or any electronic media device which is owned or accessed by you. You must allow the installation on your computer of any hardware or software systems which monitor computer use. You must pay the cost of the computer monitoring program. You must abide by the standard conditions of computer monitoring. Any dispute as to the applicability of this condition will be decided by the Court. The following restrictions shall also apply:

1. You may only access the internet through the computer equipment identified to the probation office above for which computer monitoring software has been installed;

2. The internet/computer use is to be used solely for college admission and school work. Access to the internet for entertainment purposes is prohibited;

3. Access to the internet will be permitted only from 6:00 A.M. until 11:30 P.M.

4. You will also be prohibited from use of any VPN's (virtual private networks) or VPS's (virtual private servers). You must access the internet via true IP address and not disguise it. Also, you are prohibited from spoofing phone numbers, emails, or impersonating others;

5. You are not permitted to access any social media sites unless determined necessary for schooling/educational purposes and pre-approved by U.S. Probation. No dark web sites or downloading of software to access the dark web; and

6. You are to have no contact with S.A., or any of her family through the internet or any other means, including contacting his/her school.

s/ Jerome B. Simandle

JEROME B. SIMANDLE
U.S. District Judge